

REMARKS

Reexamination and reconsideration of this application is requested. Claims 1-12 remain in the application.

Claims 1, 3-5, 7-9, 11, and 12 were rejected as unpatentable in view of MacKarvich (5,983,573).

By way of review, Claim 1 includes:

“A clamp...comprising: a top jaw comprising:..

 a central portion adapted for overlying the top side of the frame component; said central portion including:

 a distal end; and

 a proximal end;

 an engaging portion connected to said central portion distal end and projecting downward from said central portion including:

 bearing surface means for bearing against the frame component distal edge responsive to anchor strap tension such that said top jaw aligns with the anchor strap when the anchor strap is not perpendicular to the longitudinal axis of the frame component distal edge; and...

Thus, in the invention of claim 1, the bearing surface of the top jaw of the clamp is adapted for aligning the top jaw of the clamp with the direction of pull of an anchor strap. Thus, the angle of the top jaw relative to the beam is variable.

MacKarvich, on the other hand, teaches a clamp in which the top jaw remains fixed relative to the beam; it is the lower jaw that must pivot relative to the top jaw.

The claimed clamp is not shown in the prior art nor in any combination thereof. Neither is it obvious therefrom as there is not description or suggestion in the art to arrive at the claimed combination. There is no teaching or suggestion in MacKarvich or any of the prior art that the top jaw of a clamp can include bearing means that provides for alignment with an anchor strap. Therefore,

claim 1 is seen to be in condition for allowance and allowance is requested.

Claims 2 and 3, reciting further patentable subject matter and being ultimately dependable upon allowable Claim 1, are also seen to be in condition for allowance and allowance is requested.

Claim 4, dependent upon claim 1, includes the limitation that “said bearing surface means of said top jaw comprises: an arcuate bearing surface that is convex relative to the frame component distal edge.”

The arcuate bearing surface of the applicant’s clamp and the functioning thereof is clearly seen in the drawings, particularly Figs. 3 and 6.

In the Office Action, it is stated that the engaging portion of the top jaw of MacKarvich “includes an arcuate bearing surface that is convex relative to the flange distal edge.” However, this is not so. The engaging portion of MacKarvich is a bent back section 40. It does not present a convex bearing surface to the frame. Thus, depending on the shape of the outer end of the flange (usually flat), the bearing surface of the top clamp of MacKarvich would be a straight line, or, alternatively, perhaps, a flat surface.

The claimed clamp is not shown in the prior art nor in any combination thereof. Neither is it obvious therefrom as there is not description or suggestion in the art to arrive at the claimed combination. There is no teaching or suggestion in MacKarvich or any of the prior art that the top jaw of a clamp can include an arcuate bearing surface that provides for alignment with an anchor strap. Therefore, claim 5, being dependent upon allowable claim 1 and including further patentable subject matter, is seen to be in condition for allowance and allowance is requested.

Independent Claim 5, including all of the limitations of claim 1 is seen to be in condition for allowance for the reasons cited therefor and allowance is requested.

Claims 6 and 7, reciting further patentable subject matter and being ultimately dependable upon allowable Claim 5, are also seen to be in condition for allowance and allowance is requested.

Claim 8, dependent upon allowable claim 5, and analogous to claim 4, is seen to be allowable for the reasons cited with respect to claim 4 and allowance is requested.

Independent claim 9, including the combination of the clamp with a support beam of the manufactured home includes all of the limitations of claim 1 is seen to be in condition for allowance for the reasons cited therefor and allowance is requested

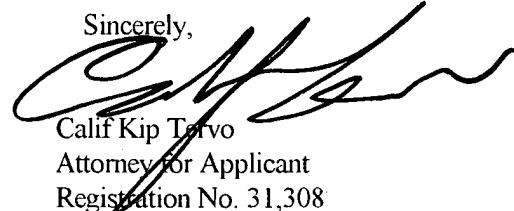
Claims 10 and 11, reciting further patentable subject matter and being ultimately dependable upon allowable Claim 9, are also seen to be in condition for allowance and allowance is requested.

Claim 12, dependent upon allowable claim 9, and analogous to claim 4, is seen to be allowable for the reasons cited with respect to claim 4 and allowance is requested.

In view of the amendment and the remarks Claims 1-12 are seen to be in condition for allowance and allowance is requested.

The Examiner is requested to contact the undersigned if it will aid in the disposition of this application.

Sincerely,



Calif Kip Tervo
Attorney for Applicant
Registration No. 31,308

Calif Kip Tervo, Esq.
6387 Caminito Lazaro
San Diego, California 92111
(619) 234-4034